

## REMARKS

The present communication responds to the Office Action mailed February 22, 2005. In that Office Action, the Examiner rejected claims 1-5, 7, 9-22 and 24 of the present application.

### Rejection under 35 U.S.C. § 103

#### **Ginsburg in view of Gerson**

Claims 1-5, 7, 9 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 921,974 to Ginsburg in view of U.S. Patent No. 3,150,582 to Gerson. This rejection is traversed at least for the following reasons.

The Examiner asserts that Ginsburg teaches an interchangeable die apparatus, including: an apparatus for adjusting a die printing press comprising a chase (A, Fig. 1) defining a vertical axis and a horizontal axis, a die frame (B, Fig. 1) slidably secured to the chase to allow the adjustment of the die frame in the vertical axis and the horizontal axis of the chase (“frame may be adjusted to its proper central position,” p. 1, lines 62-63). As explained in the Office Action Response dated December 4, 2003, Ginsburg discloses a chase A with die frame B adapted to be set within chase A. Set screws A’ are used to engage the sides of the chase for locking the frame in place and for adjusting the frame and chase relative to each other. Ginsburg explains:

The frame B is smaller than the frame A, has no bottom plate, and is adapted to be set within the frame A. The set screws A’ will engage with the sides of this frame, and by adjusting the set screws relatively to each other the internal frame B may be adjusted to its proper central position with reference to the frame or chase A and be rigidly held therein. *Ginsburg, page 1, lines 59-65.*

Despite the Examiner’s assertions, Ginsburg has no provision whatsoever for slidably securing a die frame within a chase to allow adjustment of the die frame in the vertical axis and the horizontal axis. In contrast, Ginsburg teaches only set screws for locking and adjusting the frame with respect to the chase. Set screws do not provide slidable securing of the frame to the chase. Thus, Ginsburg does not, in fact, disclose “a die frame slidably secured to the chase to allow adjustment of the die frame in the vertical axis and the horizontal axis of the chase,” as recited by claim 1.

The Examiner concedes that Ginsburg does not teach at least one of a coarse vertical adjustment and a coarse horizontal adjustment and at least one of a fine vertical adjustment and a fine horizontal adjustment. The Examiner cites Gerson as teaching: an apparatus for adjusting a die comprising a vertical axis and a horizontal axis, a small frame for holding the image creating elements (28, 36, Fig. 1) slidably secured to a machine frame to allow the adjustment of the small frame in the vertical axis and the horizontal axis; at least one of a coarse vertical adjustment (“coarse adjustment in vertical displacement,” col. 3, lines 39-40) and a coarse horizontal adjustment (“approximate or coarse adjustment,” col. 4, lines 7-8); and at least one of a fine vertical adjustment and a fine horizontal adjustment (“precise selection of fine space intervals both vertically and horizontally,” col. 1, lines 55-56); that such an apparatus provides very rapid and convenient shifting and positioning (col. 1, lines 53-56), and precise alignment and the ability to return to predetermined positions as selected by the user (col. 1, lines 45-50).

As a first matter, the applicants respectfully note that, at least, Gerson does not in fact teach an apparatus for adjusting a die. Gerson teaches a photo offset plate making machine. More particularly, Gerson teaches a negative carrier support for use in photo-offset lithography printing which is adjustable in two directions disposed at 90 degrees with respect to each other and in which registering means assure precise alignment and return to predetermined positions as selected by the user. *Gerson, Column 1, lines 46-50.*

As noted by the Examiner, an object of the Gerson device is to provide a:

structure for the adjustable positioning of the negative carrier support, which affords very rapid and convenient shifting and positioning of said support and quick precise selection of fine space intervals both vertically and horizontally by the mere flicking of two shift levers. *Gerson, Column 1, lines 52-57.*

The Examiner refers to this language in Gerson as disclosing “at least one of a fine vertical adjustment and a fine horizontal adjustment (“precise selection of fine space intervals both vertically and horizontally,” col. 1, lines 55-56); that such an apparatus provides very rapid and convenient shifting and positioning (col. 1, lines 53-56), and precise alignment and the ability to return to predetermined positions as selected by the user (col. 1, lines 45-50).” Claim 1, as amended, recites: “at least one of a coarse vertical adjustment mechanism and a coarse horizontal adjustment mechanism”. While the language cited by the Examiner may express an object of

Gerson to adjust the position of the negative carrier support, there is no disclosure of the mechanism to do so. To the extent Gerson does provide such disclosure, Gerson states:

The action and structure of the rack 80 and rack sections 83 and 84 and the cams 183 and 184 is substantially the same as that of the racks 59 and 60 and sections 64, 65, 66 and 67, so that when the lever 76 is in neutral, the body 51 may be manually shifted along theember 73 for an approximate or coarse displacement, and the moving the shift lever 76 right or left of the center engages the respective rack sections to get precise horizontal positioning in steps equal to one-half of the pitch of rack 80. *Gerson, Column 4, lines 1-11.*

Claim 1, as amended, recites: "wherein the coarse vertical adjustment mechanism and/or fine vertical adjustment mechanism is coupled to the vertical mount and the coarse horizontal adjustment and/or fine horizontal adjustment mechanism is coupled to the horizontal mount". Gerson does not disclose coarse and/or fine vertical and/or horizontal adjustment mechanisms coupled to respective guides.

Neither Ginsborg nor Gerson disclose, teach or suggest an apparatus for adjusting a die of a printing press comprising at least one of a fine vertical adjustment mechanism and a fine horizontal adjustment mechanism; wherein the coarse vertical adjustment mechanism and/or fine vertical adjustment mechanism is coupled to the vertical mount and the coarse horizontal adjustment and/or fine horizontal adjustment mechanism is coupled to the horizontal mount, as recited by claim 1, as amended. Thus, the applicants respectfully assert that claims 1-5, 7, 9 and 24 are patentable over Ginsburg in view of Gerson. Accordingly, it is respectfully requested that the rejection of claims 1-5, 7, 9 and 24 under 35 U.S.C. § 103(a) as being unpatentable over Ginsburg in view of Gerson be withdrawn.

**Ginsburg in view of Gerson and further in view of Leibovich et al.**

Claims 10, 12, 17 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 921,974 to Ginsburg in view of U.S. Patent No. 3,150,582 to Gerson and further in view of U.S. Patent No. 4,723,086 to Leibovich et al. This rejection is traversed at least for the following reasons.

As discussed above, neither Ginsborg nor Gerson, alone or in combination, disclose, teach or suggest an apparatus for adjusting a die of a printing press comprising at least one of a fine vertical adjustment mechanism and a fine horizontal adjustment mechanism; wherein the

coarse vertical adjustment mechanism and/or fine vertical adjustment mechanism is coupled to the vertical mount and the coarse horizontal adjustment and/or fine horizontal adjustment mechanism is coupled to the horizontal mount, as recited by claim 1, as amended. Leibovich et al. disclose a coarse and fine motion positioning mechanism. Leibovich et al. do not correct the fundamental teaching deficiencies of the Ginsburg and Gerson combination. Thus, it is respectfully submitted that the combination of Ginsburg, Gerson and Leibovich et al. does not make obvious claim 1.

As each of claims 10, 12, 17 and 18 depends either directly or indirectly from claim 1, the applicants respectfully assert that claims 10, 12, 17 and 18 are patentable over Ginsburg in view of Gerson and further in view of Leibovich et al. Accordingly, it is respectfully requested that the rejection of claims 10, 12, 17 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Ginsburg in view of Gerson and further in view of Leibovich et al. be withdrawn.

**Ginsburg in view of Gerson and Leibovich et al. and further in view of Posh**

Claims 11, 13 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 921,974 to Ginsburg in view of U.S. Patent No. 3,150,582 to Gerson and U.S. Patent No. 4,723,086 to Leibovich et al. and further in view of U.S. Patent No. 3,449,971 to Posh. This rejection is traversed at least for the following reasons.

As discussed above, neither Ginsborg, Gerson nor Leibovich et al., alone or in combination, disclose, teach or suggest an apparatus for adjusting a die of a printing press comprising at least one of a fine vertical adjustment mechanism and a fine horizontal adjustment mechanism; wherein the coarse vertical adjustment mechanism and/or fine vertical adjustment mechanism is coupled to the vertical mount and the coarse horizontal adjustment and/or fine horizontal adjustment mechanism is coupled to the horizontal mount, as recited by claim 1, as amended. Posh teaches a linear actuator. Posh does not correct the fundamental teaching deficiencies of the Ginsburg, Gerson and Leibovich et al. combination. Thus, it is respectfully submitted that the combination of Ginsburg, Gerson, Leibovich et al. and Posh does not make obvious claim 1.

As each of claims 11, 13 and 19 depend either directly or indirectly from claim 1, the applicants respectfully assert that claims 11, 13 and 19 are patentable over Ginsburg in view of Gerson and Leibovich et al. and further in view of Posh. Accordingly, it is respectfully requested that the rejection of claims 11, 13 and 19 under 35 U.S.C. § 103(a) as being unpatentable over Ginsburg in view of Gerson and Leibovich et al. and further in view of Posh be withdrawn.

**Ginsburg in view of Gerson and Leibovich et al. and further in view of Gortner**

Claims 14-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 921,974 to Ginsburg in view of U.S. Patent No. 3,150,582 to Gerson and U.S. Patent No. 4,723,086 to Leibovich et al. and further in view of U.S. Patent No. 6,598,868 to Gortner. This rejection is traversed at least for the following reasons.

As discussed above, neither Ginsborg, Gerson nor Leibovich et al., alone or in combination, disclose, teach or suggest an apparatus for adjusting a die of a printing press comprising at least one of a fine vertical adjustment mechanism and a fine horizontal adjustment mechanism; wherein the coarse vertical adjustment mechanism and/or fine vertical adjustment mechanism is coupled to the vertical mount and the coarse horizontal adjustment and/or fine horizontal adjustment mechanism is coupled to the horizontal mount, as recited by claim 1, as amended. Gortner teaches a clamp mechanism. Gortner does not correct the fundamental teaching deficiencies of the Ginsburg, Gerson and Leibovich et al. combination. Thus, it is respectfully submitted that the combination of Ginsburg, Gerson, Leibovich et al. and Gortner does not make obvious claim 1.

As each of claims 14-16 depends either directly or indirectly from claim 1, the applicants respectfully assert that claims 14-16 are patentable over Ginsburg in view of Gerson and Leibovich et al. and further in view of Gortner. Accordingly, it is respectfully requested that the rejection of claims 14-16 under 35 U.S.C. § 103(a) as being unpatentable over Ginsburg in view of Gerson and Leibovich et al. and further in view of Gortner be withdrawn.

**Ginsburg in view of Gerson, Leibovich et al. and Gortner and further in view of Posh**

Claims 20-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 921,974 to Ginsburg in view of U.S. Patent No. 3,150,582 to Gerson and U.S. Patent No. 4,723,086 to Leibovich et al. and U.S. Patent No. 6,598,868 to Gortner and further in view of U.S. Patent No. 3,449,971 to Posh. This rejection is traversed at least for the following reasons.

As discussed above, neither Ginsborg, Gerson, Leibovich et al., nor Gortner, alone or in combination, disclose, teach or suggest an apparatus for adjusting a die of a printing press comprising at least one of a fine vertical adjustment mechanism and a fine horizontal adjustment mechanism; wherein the coarse vertical adjustment mechanism and/or fine vertical adjustment mechanism is coupled to the vertical mount and the coarse horizontal adjustment and/or fine horizontal adjustment mechanism is coupled to the horizontal mount, as recited by claim 1, as amended. Posh teaches a linear actuator. Posh does not correct the fundamental teaching deficiencies of the Ginsburg, Gerson, Leibovich et al. and Gortner combination. Thus, it is respectfully submitted that the combination of Ginsburg, Gerson, Leibovich et al., Gortner and Posh does not make obvious claim 1.

As each of claims 20-22 depend either directly or indirectly from claim 1, the applicants respectfully assert that claims 20-22 are patentable over Ginsburg in view of Gerson, Leibovich et al. and Gortner and further in view of Posh. Accordingly, it is respectfully requested that the rejection of claims 20-22 under 35 U.S.C. § 103(a) as being unpatentable over Ginsburg in view of Gerson, Leibovich et al. and Gortner and further in view of Posh be withdrawn.

*Double Patenting*

The Examiner asserted that should claims 1, 7 and 9 be found allowable, claims 7 and 9 would be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. Claims 7 and 9 have been cancelled herewith. The applicants thus respectfully submit that such objection is avoided.

**CONCLUSION**

This application now stands in allowable form and reconsideration and allowance is respectfully requested.

Also enclosed is a Petition for Extension of Period for Response with a check in the amount of \$120.00. Should any additional fees be necessary, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 04-1420.

Respectfully submitted,

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